

From: Brent Johnson
To: Heather Mackenzie-Campbell
Date: Tue, Aug 8, 2006 3:53 PM
Subject: Re: Question

No, a 4-701 enhancement cannot be added at that time. However, if someone breaches a plea in abeyance agreement, the court then sentences the defendant and the court can sentence the defendant to whatever amount the court determines is appropriate, giving credit for any amounts that have been paid.

>>> Heather Mackenzie-Campbell 08/08/06 03:35PM >>>
Brent,

When a defendant does not comply with the agreement of a non-appearance plea in abeyance and is required to pay the original fine amount, can the court also assess at that time a delinquent enhancement?

(As far as I can tell, CORIS isn't programmed to easily assess a delinquent fee outside the delinquent notice process).

Thanks for your help, Heather